

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DOUGLAS LACY, on behalf of himself and
all others similarly situated,

Plaintiff,

v.

COMCAST CABLE COMMUNICATIONS,
LLC,

Defendant.

Case No. 3:19-cv-05007-RSM

**STIPULATION AND JOINT MOTION TO
EXTEND PRE-CERTIFICATION
DISCOVERY DEADLINE**

**STIPULATION AND JOINT MOTION TO
EXTEND PRE-CERTIFICATION DISCOVERY DEADLINE**

Pursuant to LCR 16, Defendant Comcast Cable Communications, LLC (“Comcast”) and Plaintiff Douglas Lacy (“Plaintiff”), by and through their respective counsel of record, respectfully submit this stipulation and joint motion to extend pre-certification discovery deadline as follows:

WHEREAS, immediately prior to the reassignment of this action, the Court (Leighton, J.) issued an order denying Comcast’s motion to continue the stay of this action pending the Supreme Court’s decision in *Facebook Inc. v. Duguid*, No. 19-511, cert. granted (U.S. July 9, 2020) (*see* Stay Order, Dkt. No. 82);

WHEREAS, following the entry of the Stay Order, the parties conferred regarding case management in light of the Stay Order;

WHEREAS, on October 16, 2020, pursuant to a stipulated order (Dkt. No. 85), the parties filed a Further Joint Status Report and Case Management Proposal (Dkt. No. 86) in which the parties jointly proposed a case management plan and pre-certification discovery and motion deadlines;

WHEREAS, on October 19, 2020, the Court approved the parties’ proposed pre-certification deadlines (*see* Dkt. No. 87);

WHEREAS, following the Court’s approval of the parties’ proposed pre-certification deadlines, the parties continued to meet and confer regarding class certification discovery;

WHEREAS, Comcast proposed to Plaintiff a two-month extension of the pre-certification discovery deadline relating to (1) Plaintiff, (2) prerecorded voice calls, (3) prerecorded call scripts, and (4) the technology used to place all calls at issue in this case;

WHEREAS, the parties have jointly agreed to a two-month extension of the close of fact discovery relating to: (1) Plaintiff, (2) prerecorded voice calls, (3) prerecorded call scripts, and (4) the technology used to place all calls at issue in this case;

WHEREAS, the parties have agreed that they will meet and confer regarding an agreed-to production of prerecorded call records and prerecorded call scripts, and Comcast will complete any corresponding production by January 31, 2021;

WHEREAS, the parties have agreed that that they will meet and confer regarding the scope and timing of a deposition taken pursuant to Federal Rule of Civil Procedure 30(b)(6), which deposition will be taken by February 19, 2021;

WHEREAS, Comcast agrees to make best efforts to complete by or before December 31, 2020 its production of (1) its call records related to the Plaintiff; and (2) its relevant TCPA-related policies; and

WHEREAS, any deadline referenced in this stipulation may be modified by the Court upon a showing of good cause, at the Court's discretion.

NOW THEREFORE, the parties stipulate to and agree to a two-month extension of the close of fact discovery relating (1) Plaintiff, (2) prerecorded voice calls, (3) prerecorded call scripts, and (4) the technology used to place all calls at issue in this case, as follows:

EVENT	CURRENT DEADLINE	NEW DEADLINE
Deadline to complete fact discovery relating to: (1) Plaintiff, (2) prerecorded voice calls, (3) prerecorded call scripts, and (4) the technology used to place all calls at issue in this case.	January 31, 2021	March 31, 2021

1 Dated: November 9, 2020

Respectfully submitted,

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20 **ORDER**

21 Pursuant to stipulation, and for good cause shown, **IT IS SO ORDERED.**

24 Dated: November 12, 2020.



25 RICARDO S. MARTINEZ
26 CHIEF UNITED STATES DISTRICT JUDGE
27